

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 BONNIE TAYLOR and LISA
4 MARQUARDT,

5 Plaintiffs

6 v.

7 STEVE SISOLAK,
8 Defendant

Case No.: 2:21-cv-01978-APG-VCF

**Order Denying Motion for Default
Judgment**

[ECF No. 14]

9 Plaintiffs Bonnie Taylor and Lisa Marquardt move for default judgment against
10 defendant Steve Sisolak. I deny the motion because the plaintiffs must first move for a clerk's
11 entry of default under Federal Rule of Civil Procedure 55(a).

12 More importantly, the plaintiffs have not shown proper service on Sisolak. The plaintiffs
13 purported to serve Sisolak by means of certified mail, but that is insufficient under Federal Rule
14 of Civil Procedure 4. The plaintiffs refer in their petition to Nevada Revised Statutes § 155.050
15 as allowing service by certified mail. ECF No. 1 at 1. But that section applies to giving notice in
16 relation to probating a will of a deceased person. *See* Nev. Rev. Stat. §§ 155.040, 155.050.
17 Because the plaintiffs have not properly served Sisolak in the time required by Rule 4(m), I order
18 the plaintiffs to show cause why this action should not be dismissed without prejudice for failure
19 to timely serve Sisolak.

20 I THEREFORE ORDER that the plaintiffs' motion for default judgment (**ECF No. 14**) is
21 **DENIED.**

22 I FURTHER ORDER that **by April 1, 2022**, the plaintiffs shall show cause why this
23 action should not be dismissed without prejudice for failure to timely served defendant Steve

1 Sisolak. Failure to respond to this order by that date will result in this case being dismissed
2 without prejudice.

3 DATED this 2nd day of March, 2022.

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5 ANDREW P. GORDON
6 UNITED STATES DISTRICT JUDGE
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